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7 || [Proposed] Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

10 EVELYN SABBAG, Derivatively on Behalf of) Lead Case No.: 10-cv-002735-JF-HRL
11 AKEENA SOLAR, INC.,)
12 Plaintiff,) **[PROPOSED] ORDER**
13 v.) **APPOINTING LEAD COUNSEL**
14 BARRY CINNAMON, GARY EFFREN,)
15 EDWARD ROFFMAN, JON WITKIN, GEORGE)
16 LAURO, and DAVID WALLACE,)
17 Defendants,)
18 -and-)
19 AKEENA SOLAR, INC., a Delaware corporation,)
20 Nominal Defendant.)

1 The matter of the appointment of lead counsel came for discussion before the Court on
2 September 3, 2010, at the Case Management Conference. Plaintiffs' counsel informed the Court
3 that an agreement on a leadership structure had been reached and counsel was heard on the
4 record regarding that agreement. Counsel for the defendants adopted no position concerning the
5 appointment of lead counsel other than to state that the defendants wanted no more than two
6 firms appointed as lead counsel.

7 Therefore, the Court, in the interests of efficiency and to avoid duplication of effort,
8 HEREBY ORDERS as follows:

9 1. Robbins Umeda LLP and Glancy Binkow & Goldberg LLP are hereby
10 designated as Lead Counsel for Plaintiffs. Plaintiffs' Lead Counsel shall have authority to speak
11 for Plaintiffs in matters regarding pre-trial procedure, trial and settlement and shall make all
12 work assignments in such manner as to facilitate the orderly and efficient prosecution of this
13 litigation and to avoid duplicative or unproductive effort. Plaintiffs' Lead Counsel shall be
14 responsible for coordinating all activities and appearances on behalf of Plaintiffs. No motion,
15 request for discovery or other pre-trial or trial proceedings shall be initiated or filed by any
16 Plaintiffs except through Plaintiffs' Lead Counsel. Plaintiffs' Lead Counsel shall be available
17 and responsible for communications to and from this Court, including distributing orders and
18 other directions from the Court to counsel. Plaintiffs' Lead Counsel shall be responsible for
19 creating and maintaining a master service list of all parties and their respective counsel.
20 Defendants' counsel may rely upon all agreements made with Plaintiffs' Lead Counsel, or other
21 duly authorized representative of Plaintiffs' Lead Counsel, and such agreements shall be binding
22 on all plaintiffs.

23 IT IS SO ORDERED

24 10/5/10

25 DATED

26 HONORABLE JEREMY FOGEL
27 UNITED STATES DISTRICT COURT JUDGE

